

12-28-1999

Docket No.:

TR



101232881

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Austad Holdings

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State **Delaware**
☐ Other

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other **Partial Release of Security Interest**

Execution Date: **21 October 1999**

2. Name and address of receiving party(ies):

Name: **Congress Financial Corporation**

Internal Address:

Street Address: **1133 Avenue of the Americas**

City: **New York** State: **NY** ZIP: **10036**

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State **California**
☐ Other

If assignee is not domiciled in the United States, a domestic designation is ☐ Yes ☒ N
(Designations must be a separate document from
Additional name(s) & address(es) ☐ Yes ☒ N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

**SEE
ATTACHED
SCHEDULE**

B. Trademark Registration No.(s)

**SEE
ATTACHED
SCHEDULE**

Additional numbers ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **John L. Welsh, Esq.**

Internal Address: **AQUILINO, WELSH & FLAXMAN**

Street Address: **2341 Jefferson Davis Highway, Suite 112**

City: **Arlington** State: **VA** ZIP: **22202**

6. Total number of applications and registrations involved:.....

25

7. Total fee (37 CFR 3.41):.....\$ **\$640.00**

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

2/27/1999 JSHABAZZ 00000160 73057528

DO NOT USE THIS SPACE

01 FC:481 40.00 OP
02 FC:482 600.00 OP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John L. Welsh

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

6

TRADEMARK
REEL: 002003 FRAME: 0708

SCHEDULE A
TO
PARTIAL RELEASE OF
SECURITY INTEREST IN TRADEMARKS

TITLE	COUNTRY	CLASS	SERIAL NO.	REGISTRATION NUMBER	REGISTRATION DATE	AFFIDAVIT OR RENEWAL DATE
SENATOR	US	28	73-057528	1,039,321	5/11/76	5/11/96
DESIGN ONLY (TOP HAT IN CIRCLE)	US	28	73-057529	1,039,322	5/11/76	5/11/96
SENATOR (in Stylized form)	US	25	73-089025	1,058,554	2/8/77	2/8/97
SENATOR	US	28	73-117339	1,074,661	10/4/77	10/4/97
AUSTAD	US	28	73-117340	1,091,183	5/9/78	5/9/98
NUBBIES	US	25	73-464083	1,319,504	2/12/85	2/12/05
EVERSOFT	US	25	73-464084	1,348,062	7/9/85	7/9/05
CRUSHER	US	28	73-560242	1,390,051	4/15/86	4/15/06
AUSTAD'S	US	28	73-739159	1,546,543	7/4/89	7/4/09
ARSENAL	US	28	74-004763	1,605,767	7/10/90	7/10/95 TO 7/10/96
ACCUTECH	US	28	74-011665	1,608,384	7/31/90	7/31/95 TO 7/31/96
ACCUTECH	US	28	74-042542	1,632,458	1/22/91	1/22/96 TO 1/22/97
SYCAMORE HILLS	US	25	74-106848	1,729,453	11/3/92	11/3/97 TO 11/3/98
CAPTAIN HOOK	US	28	74-106889	1,658,309	9/24/91	9/24/96 TO 9/24/97
LINK SPORT	US	16	74-107020	1,665,823	11/26/91	11/26/96 TO 11/26/97
LINKSPORT	US	25	74-158970	1,717,139	9/15/92	9/15/97 TO 9/15/98
LINKSPORT	US	25	74-161635	1,669,168	7/7/92	7/7/97 TO 7/7/98

TITLE	COUNTRY	CLASS	SERIAL NO.	REGISTRATION NUMBER	REGISTRATION DATE	AFFIDAVIT OR RENEWAL DATE
DESIGN ONLY (GOLFER IN OVAL)	US	25	74-545518	1,916,567	9/5/95	9/5/00 TO 9/5/01

Trademark Owner: AUSTAD HOLDINGS, INC.

<u>Mark</u>	<u>Country</u>	<u>Registration/ Serial No.</u>	<u>Registration Date</u>	<u>Affidavit/ Renewal Date</u>
AUSTAD'S	USA	2,104,867	10/14/97	10/14/03
HILLSIDER	USA	75/353,898		Application
Austad's Golfer Logo	USA	2,059,181	5/6/97	05/06/03
TI POWER	USA	2,109,919	10/28/97	10/28/03
AFTER 18	USA	75/481,109		Application
AVALANCHE	USA	75/433,065		Application
TROUBLE LIES	USA	75/453,593		Application
HILLSIDER	Japan			Application
Austad's Golfer Logo	Japan			Application
AUSTAD'S	Japan	2,419,654		09/30/02
Austad's Golfer Logo (old)	Japan	2,461,329		08/23/03

PARTIAL RELEASE OF SECURITY INTEREST IN TRADEMARKS


KNOW ALL MEN BY THESE PRESENTS, that CONGRESS FINANCIAL CORPORATION, a Delaware corporation, successor by merger to Congress Financial, a California corporation ("Secured Party"), having an office at 1133 Avenue of the Americas, New York, New York 10036, DOES HEREBY CERTIFY that the security interest it holds in certain trademarks and trademark applications of AUSTAD HOLDINGS, a Delaware corporation ("Austad Holdings"), pursuant to the Trademark Collateral Assignment and Security Agreement, dated November 14, 1995, by and among HANOVER CATALOG HOLDINGS, INC., a Delaware Corporation, HANOVER DIRECT, INC., a Delaware corporation, SCANDIA DOWN CORPORATION, a Delaware corporation, AEGIS SAFETY HOLDINGS, INC., a Delaware corporation, COMPANY STORE HOLDINGS, INC., a Delaware corporation, and Austad Holdings (each individually, a "Debtor" and collectively, "Debtors") and Secured Party, recorded in the United States Patent and Trademark Office on December 14, 1995, at Reel 1428, Frame 0001, as amended by First Amendment to Trademark Collateral Assignment and Security Agreement, dated February 22, 1996, recorded in the United States Patent and Trademark Office on August 12, 1996, at Reel 1464, Frame 0130, as amended by Second Amendment to Trademark Collateral Assignment and Security Agreement, dated as of September 30, 1998, recorded in the United States Patent and Trademark Office on February 26, 1999, at Reel 1862, Frame 0001 (the "Trademark Security Agreement"), which trademarks and trademark applications are more fully identified on Schedule A annexed hereto and made a part hereof, together with the goodwill of the business symbolized thereby, is released and all interest in such property previously assigned to Secured Party under the Trademark Security Agreement is hereby reassigned to Austad Holdings, without representation or warranty of any kind, nature or description.

Nothing contained herein shall constitute a release or reassignment of the security interests or interests in any other trademarks and other property assigned by way of security by Debtors pursuant to the Trademark Security Agreement.

IN WITNESS WHEREOF, Secured Party has caused this Partial Release of Security Interest in Trademarks to be executed by its duly authorized corporate officer this 21st day of October 1999.

CONGRESS FINANCIAL CORPORATION

By: 

Title: 

TRADEMARK

REEL: 002003 FRAME: 0712

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On the 21 day of October 1999, before me personally came Janet Last, to me known, who being by me duly sworn, did depose and say, that she is the First Vice Pres. of CONGRESS FINANCIAL CORPORATION and that said instrument was signed on behalf of such corporation by authority of its Board of Directors, and she acknowledged said instrument to be the free act and deed of said corporation.

Maria Nunez
Notary Public

MARIA NUNEZ
NOTARY PUBLIC, State of New York
No. 01NU5086952
Qualified in Queens County
Cert. Filed in New York County
Commission Expires Oct. 27, 1999

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